

Sri Saurabh Tewari  
DDG (E&F)  
Appellate Authority  
DOT Hq  
Sanchar Bhavan

20/11/17

1012/7/Amrta  
19/12/17

DISM  
20/12/17

Subject Information sought under RTI Act 2005.

This has reference to my RTI Dated 10.10.2017 and reply of CPIO dated 21.11.2017 (copy enclosed for ready reference)

RTI Regd.  
Sl. no. 200  
21/12/17

1. As per information furnished by the CPIO, a reference was made to UPSC to seek the advice/approval regarding the choice of method of recruitment for filling up the newly recruited Apex level post and advice/ approval of UPSC on the above was received on 21.12.2016

In this connection information and relevant file notings of Advice sought from UPSC regarding the year for which the choice of method of Recruitment for filling up of the post and thereafter for conducting of DPC as sought from UPSC may pl be furnished.

Referred to  
for A.K. Jaiswal, AO,  
SEAI for  
further action  
please. MK  
22/12

2. As per information furnished by CPIO, DPC for Apex level Encadred post was held for vacancy year 2017-18, Whereas, MK

The Cabinet had approved the first ever Cadre Review of IP&TAFS in October 2016 with direction to implement the Cadre Review within 4 months

And  
shri. A.K.,  
AO, SEAI.

The same was notified by DOT in November 2016

Under the above circumstances, information along with relevant documentation may please be provided for not holding of DPC for the year 2016-17, especially in view of above mandate of Cabinet and CPIO's information that UPSC reply on Advice sought was received back on 21.12.2016.

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206  
21/12/17

3. A copy of the proposal/reference sent to the UPSC to seek above advice/ approval re, choie of method of Recruitment for filling up the newly created Apex Level post as informed by CPIO along with all file notings starting from initiation of the proposal/reference till its final approval by the Competent Authority may pl, be provided.

4, As per information Furnished by the COIO, the post in Apex level was to be filled up from among the officers of the Service in Level 16 Pay Matrix.

ADG/SEA  
SD38/SEA/2017  
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20/12/17

ADG (SEA) 21/12  
AO (SEA-I)

Under the above circumstances, information along with relevant documents may please be furnished as to whether the specific Eligibility condition of Pay Matrix 16 was

Initially and suo moto sought for in the proposal /reference made by DOT or whether it was UPSC who gave this specific advice( re. above eligibility condition) of its own accord.

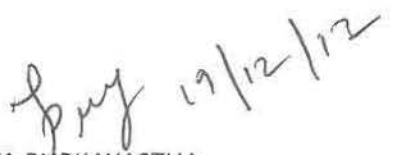
5.As per information furnished by CPIO the ,reference to UPSC which was made and on which the approval of the Commission was received for filling up of the newly created Apex level post was on the basis that " the primary responsibility of CGCA is assessment and collection of Licence Fee and Spectrum Usage charges"

Under the above circumstances, documents may pl. be furnished on justification of variation and differences between the responsibilities and functions given to the CGCA vide DOT Notification of 13<sup>th</sup> June 2017 and the above responsibilities which were referred to/proposed to UPSC and on the basis of which the approval of the Commission was received on 20.12.2016.

6. CPIO has not furnished information sought for at point No 4 of my application.

Relevant information may pl. be furnished

Dated Delhi,19.12.2017

  
SUMITA PURKAYASTHA  
A C G C A ,DOT  
D11/113,Kaka Nagar  
NEW DELHI.

To  
Ms Sumita Purkayastha,  
D-11/115, Kirti Nagar,  
New Delhi - 110005

**Sub: Information under RTI Act, 2005**

Kindly refer to your application dated 10.10.2017 on the above subject. The information relates to IP&T AFS Gr. "A" is given below:-

| S.No | Information sought for  | Reply  |
|------|---|--|
| 1    | Copy of proposal sent to concerned department seeking relaxation to fill up the post of CGCA till RR is approved after Cadre Review approval of October 2016  | DoT did not forward any proposal for seeking relaxation to fill up the post of CGCA till RR approved after Cadre Review. However, DoT has forwarded the proposal of one-time mode of recruitment for the post of Controller-General of Communication Accounts in IP&T AFS Gr. "A" Service in absence of notified recruitment rules for the post. |
| 2    | Copy of file note sheets and all relevant related correspondences seeking relaxation for the post of CGCA till RR is finalized.   |  |
| 3    | Copy of proposal sent by Department for conducting the 1 <sup>st</sup> DPC for the post of CGCA along with panel of officers who were to be considered in said DPC.   |  |
| 4    | Since rules on subject requires to conduct DPC for all posts falling vacant in a particular financial year/calendar year as case may be and since the post of CGCA was falling vacant on 01.08.2017, copy of the proposal seeking approval for the same and a copy of comments received in this regard may be provided. | Copy enclosed (37 pages)<br>query not answered   |

2. The appeal, if any, against the information furnished herein may be preferred before Sh. Saurabh Kumar Tiwari, Deputy Director General (E&F), Department of Telecom, who is the Appellate Authority, within 30 days from the date of issue of this letter.

Yours sincerely,

*Aprajita Sharma*  
(Aprajita Sharma)  
Director (SEA) & CPIO  
Ph. 23036728

No. 33-09/2017-SEA-I  
Government of India  
Ministry of Communications (Sanchar Mantralaya)  
Department of Telecommunications (Doorsanchar Vibhag)  
20, Ashoka Road, Sanchar Bhawan,  
New Delhi-110 001

Dated: 18.01.2018

**APPELLATE ORDER ON APPEAL DATED 19.12.2017 FILED BY MS. SUMITA PURKAYASTHA**

I, Saurabh K. Tiwari, the Appellate Authority in the Department of Telecommunications have carefully gone through the appeal dated 19.12.2017 filed by Ms. Sumita Purkayastha:-

**Facts of the case:-**

1. Ms. Sumita Purkayastha sought the information under RTI Act, 2005 vide her application dated 10.10.2017.
2. The grounds of Appeal are as under :-

**2.1 Reply to Point No. 1 & 2 of OA by CPIO**

As per information furnished by the CPIO, a reference was made to UPSC to see the advise/approval regarding the choice of method of recruitment of for filling up the newly recruited Apex level post and advice/approval of UPSC on the above was received on 21.12.2016.

In this connection information and relevant file notings of Advise sought from the UPSC regarding the year for which the choice of method of Recruitment for filling up for the post and thereafter for conducting of DPC as sought from UPSC may please be furnished.

2.2 As per information furnished by CPIO, DPC for Apex level Encadred post was held for vacancy year 2017-18

Whereas,

The Cabinet had approved the first ever Cadre Review of IP&T AFS in October 2016 with direction to implement the Cadre Review within 4 months.

And

The same was notified by DoT in November 2016

Under the above circumstances, information along with relevant documentation may please be provided for not holding of DPC for the year 2016-17, especially in view of above mandate of Cabinet and CPIO's information that UPSC reply on Advise sought was received back on 21.12.2016.

2.3 A copy of the proposal/reference sent to the UPSC to seek above advise/approval, choice of method of Recruitment for filling up the newly created Apex Level post as informed by CPIO along with all file notings starting from initiation of the proposal/reference till its final approval by the Competent Authority may please be provided

**2.4 Reply to Point No. 3 of OA by CPIO**

As per information furnished by the CPIO, the post in Apex level was to be filled up from among the officers of the Service in Level 16 Pay Matrix. Under the above circumstances, information along with relevant documents may please be furnished as to

206  
19/12/17

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Issues  
18/11/18

whether the specific Eligibility condition of Pay Matrix 16 was initially and suo moto sought for in the proposal/reference made by DOT or whether it was UPSC who gave this specific advise(above eligibility condition) of its own accord.

Under the above circumstances, documents may please be furnished on justification for variation and differences between the responsibilities and functions given to the CGCA vide DOT Notification of 13.06.2017 and the above responsibilities which were referred to /proposed to UPSC and on the basis of which the approval of the Commission was received on 20.12.2016

2.5 **Reply to Point No. 04 of OA by CPIO**

CPIO has not furnished information sought for at point No. 4 of my application.

3. CPIO has intimated that the information as asked by the Applicant-Appellant and as available with the section has been supplied to Applicant-Appellant vide her letter dated 10.10.2017.

**Decision on the Appeal**

4. The Applicant-Appellant vide her Appeal dated 19.01.2017 has sought for the following additional information:-

(i) Information and relevant file notings of Advise sought from the UPSC regarding the year for which the choice of method of Recruitment for filling up for the CGCA post and thereafter for conducting of DPC as sought from UPSC may please be furnished.

(ii) Information along with relevant documentation may please be provided for not holding of DPC for the year 2016-17, especially in view of above mandate of Cabinet and CPIO's information that UPSC reply on Advise sought was received back on 21.12.2016.


(iii) A copy of the proposal/reference sent to the UPSC to seek above advise/approval, choice of method of Recruitment for filling up the newly created Apex Level post as informed by CPIO along with all file notings starting from initiation of the proposal/reference till its final approval by the Competent Authority.

(iv) Information along with relevant documents may please be furnished as to whether the specific Eligibility condition of Pay Matrix 16 was initially and suo moto sought for in the proposal/ reference made by DOT or whether it was UPSC who gave this specific advice (Re. above eligibility condition) of its own record.

(v) Justification of variation and differences between the responsibilities and functions give to the CGCA vide DOT Notification of 13<sup>th</sup> June 2017 and the above responsibilities which were referred to/proposed to UPSC and on the basis of which the approval of the Commission was received on 20.12.2016.

4.1 As fresh and additional information has now been sought by the Applicant-Appellant, the same <sup>does not</sup> come under the scope of this Appeal. A fresh application for this additional information may be moved by the Applicant-Appellant, if she so desires

5. In view of the aforesaid, the Appeal is without merit and stands disposed off accordingly.

  
(Saurabh Kumar Tiwari)  
DDG (E&F) & Appellate Authority

To,

Ms. Sumita Purkayastha,  
D-II/113, Kaka Nagar,  
New Delhi -110003